UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,048	01/15/2002	Bertrand Marquet	12314-US	2891

23553 7590 12/29/2006		
MARKS & CLERK	EXAMINER	
P.O. BOX 957	SHIFERAW, ELENI A	
STATION B		
OTTAWA, ON K1P 5S7	ART UNIT	PAPER NUMBER
CANADA	2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/045,048	MARQUET ET AL.
	Examiner	Art Unit	
	Eleni A. Shiferaw	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 October 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _11/17/2004_

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 10/06/2006 has been entered.

Response to Amendment

2.   Applicant's arguments with respect to claims 1-8 have been considered but are moot in

view of the new ground(s) of rejection.

Information Disclosure Statement

3.   An Initialized and dated copy of Applicant's IDS form 1449 is attached to the instant

Office action.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al.

US 6,490,626 B1 in view of Dink (A user-mode port of the Linux Kernel, October 10-14, 2000).

Regarding claim 1, Edwards et al. a network management system (fig. 2 element 252) sharable

by a plurality of operators (fig. 2 elements 222, 230, 224, 226, and 228, and col. 4 lines 47-60),

comprising:

a compartmented operating system (fig. 2 element 200) having a number of

compartments (fig. 2 elements 204, 206, 208 and 216, 202) corresponding to the plurality of

operators (fig. 2 elements 222, 230, 224, 226, and 228) and each compartment having access

control (col. 5 lines 1-col. 6 lines 56);

means for assigning the operators to respective compartments (col. 4 lines 47-67); and

common operations software (fig. 2 element 210 and abstract);

whereby each operator accesses the network management system via the access control

of the compartment and the compartment executes in isolation the operations software for its

operator (col. 5 lines 1-col. 6 lines 46).

Edwards et al. discloses each operator accessing the network management system of web

server via Mandatory Access Control policy decisions (see col. 5 lines 1-col. 6 lines 46).

Edwards et al. fails to explicitly disclose wherein an operator accessing via access control

assigned to that operator. However Dike discloses a method of slicing the AS/400 with logical

partitioning and user operators accessing data based on operators assigned access control in a

portioned system (page 51, 68, 176, and 184).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Dike within the system of Edwards et al.

because they are analogous in compartmented mode workstation. One would have been

motivated to incorporate the teachings of assigning access control to each users operators

because it would authenticate each users of each compartments based on assigned access control.

Regarding claim 2, Edwards et al. discloses a network element in a communications system (fig.

2), said network element being sharable by a plurality of operators (fig. 2 elements 222, 230,

224, 226, and 228, and col. 4 lines 47-60) comprising:

a compartmented operating system (fig. 2 element 200) having a number of

compartments (fig. 2 elements 204, 206, 208 and 216, 202) corresponding to the plurality of

operators (fig. 2 elements 222, 230, 224, 226, and 228) and each compartment having access

control (col. 5 lines 1-col. 6 lines 56);

means for assigning the operators to respective compartments (col. 4 lines 47-67); and

common operations software (fig. 2 element 210 and abstract);

whereby each operator accesses the network element via the access control of the

compartment and the compartment executes in isolation the operations software for its operator

(col. 5 lines 1-col. 6 lines 46).

Edwards et al. discloses each operator accessing the network management system of web

server via Mandatory Access Control policy decisions (see col. 5 lines 1-col. 6 lines 46).

Edwards et al. fails to explicitly disclose wherein an operator accessing via access control

assigned to that operator. However Dike discloses a method of slicing the AS/400 with logical

partitioning and user operators accessing data based on operators assigned access control in a

partitioned system (page 51, 68, 176, and 184).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Dike within the system of Edwards et al.

because they are analogous in compartmented mode workstation. One would have been

motivated to incorporate the teachings of assigning access control to each users operators

because it would authenticate each users of each compartments based on assigned access control.

Regarding claim 8 Edwards et al. discloses a method of controlling access to a network element

in a communications system (fig. 2) wherein said network element is sharable by a plurality of

operators (fig. 2 elements 222, 230, 224, 226, and 228, and col. 4 lines 47-60), said method

comprising:

providing a compartmented operating system (fig. 2 element 200) having a number of

compartments (fig. 2 elements 204, 206, 208 and 216, 202) corresponding to the plurality of

operators (fig. 2 elements 222, 230, 224, 226, and 228) and each compartment having access

control (col. 5 lines 1-col. 6 lines 56);

assigning the operators to respective compartments (col. 4 lines 47-67); and

providing common operations software (fig. 2 element 210 and abstract);

whereby each operator accesses the network element via the access control of the

compartment and the compartment executes in isolation the operations software for its operator

(col. 5 lines 1-col. 6 lines 46).

Edwards et al. discloses each operator accessing the network management system of web

server via Mandatory Access Control policy decisions (see col. 5 lines 1-col. 6 lines 46).

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Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Dike within the system of Edwards et al.

because they are analogous in compartmented mode workstation. One would have been

motivated to incorporate the teachings of assigning access control to each users operators

because it would authenticate each users of each compartments based on assigned access control

Regarding claim 3, Edwards et al. further discloses the network element, wherein administration

of said compartmented operating system is separated into multiple roles (col. 5 lines 17-43 and

fig. 3).

Regarding claim 4, Edwards et al. further discloses the network element, wherein one of said

multiple roles is dedicated to creating compartments for respective operators (col. 4 lines 30-67).

Regarding claim 5, Edwards et al. further discloses the network element, wherein one of said

multiple roles is dedicated to operator administration in each compartment (col. 4 lines 47-col. 5

lines 23).

Regarding claim 6, Edwards et al. further discloses the network element, wherein said operations

software is application software (col. 4 lines 30-60).

Regarding claim 7, Edwards et al. further discloses the network element, wherein said operators

are remote from said network element (fig. 2 element 232 and 250).

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867.

The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 22, 2006

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

12, 23, 06